

REMARKS

Claims 1-5, 7, 9-19, 21, 22, 25, 26, 28, 29, 31, and 32 are presented for further examination. Claims 1, 2, 5, 9, 12, 17, and 25 have been amended.

In the second Office Action mailed July 26, 2004, the Examiner rejected claims 1-3, 17, and 18 under 35 U.S.C. § 102(e) as anticipated by Hutchings (of record). Claims 4, 5, 9, 10, 19, and 21 were rejected under 35 U.S.C. § 103(a) as unpatentable over Hutchings in view of Kaufman (of record). Claims 22, 25, 28, and 29 were rejected as obvious over Hutchings in view of Miley (of record). Claims 7, 11-16, and 26 were rejected as obvious over Hutchings in view of Kaufman and further in view of Miley. Claims 31 and 32 are allowed.

In remarks accompanying the allowance of claims 31 and 32, the Examiner indicated that the “prior art does not teach or suggest attaching ... two sensors attached to a swimmer’s back to detect rolling and tilting motions relative to perpendicular axes in combination with the other limitations of claim 31, and attaching two sensors to a swimmer’s back to track movement in an axis parallel to the direction of the swimmer’s travel and in an axis perpendicular to the axis tracked by the first sensor in combination with the other limitations of claim 32.”

In response thereto, applicants have amended independent claims 1, 2, 5, 12, 17, and 25 to indicate that the first and second sensors are configured to be mounted to the swimmer’s back to detect movement about a longitudinal axis of the swimmer’s body and an axis perpendicular to the longitudinal axis, respectively. Claim 9 has been amended to conform to the language of independent claim 5, from which it depends.

In view of the reasons for allowance of independent claims 31 and 32, applicants respectfully submit that independent claims 1, 2, 5, 12, 17, and 25 are now clearly in condition for allowance because they incorporate the key limitations noted by the Examiner that are not taught or suggested by the cited references. Applicants further submit that all claims depending from these independent claims are allowable for the reasons why their respective independent claims are allowable.

In the event the Examiner finds minor informalities that can be resolved by telephone conference, the Examiner is urged to contact applicant’s undersigned representative by

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telephone at (206) 622-4900 in order to expeditiously resolve prosecution of this application. Consequently, early and favorable action allowing these claims and passing this case to issuance is respectfully solicited.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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